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19 *Attorneys for Defendant Pioneer Services*

20 **UNITED STATES DISTRICT COURT**
21 **DISTRICT OF NEVADA**

22 FLEMMING KRISTENSEN,

23 Plaintiff,

24 v.

25 CREDIT PAYMENT SERVICES INC., *et al.*,

26 Defendants.

Case No. 2:12-CV-00528-APG (PAL)

**DECLARATION OF ROBERT V.
SPAKE, JR. IN SUPPORT OF
DEFENDANT PIONEER SERVICES'
FIRST FED. R. CIV. P. 56 MOTION
FOR SUMMARY JUDGMENT ON
PLAINTIFF'S CLAIM FOR RELIEF**

27
28 **Decl. of Robert V. Spake, Jr.**

Case No. 12-cv-00528-APG (PAL)

1 I, ROBERT V. SPAKE, JR., hereby aver, pursuant to 28 U.S.C. § 1746, that I have
 2 personal knowledge of all matters set forth herein unless otherwise indicated, and would testify
 3 thereto if called as a witness in this matter.

4 1. I am an adult over the age of 18 and a resident of the State of Kansas. I am an
 5 attorney representing Defendant Pioneer Services in this matter and am admitted *Pro Hac Vice*
 6 before this Court. I am fully competent to make this Declaration and make such Declaration in
 7 support of Pioneer Services' First Fed. R. Civ. P. Motion for Summary Judgment on Plaintiff's
 8 Claim for Relief.
 9

10 2. Attached to this Declaration is a true and accurate copy of the following exhibits,
 11 some of which Pioneer Services is simultaneously moving for leave to file under seal:

12 EXHIBIT A: American Financial Services Association: Traditional Installment
 13 vs. Payday Loans

14 EXHIBIT B: Plaintiff Flemming Kristensen Deposition (excerpts) (moved to file
 15 under seal)

16 EXHIBIT C: Pioneer Services Website, www.pioneermilitaryloans.com/pioneer-services/awards (excerpts)

17 EXHIBIT D: AC Referral's / James Gee's Deposition (excerpts) (moved to file
 18 under seal)

19 EXHIBIT E: 360 Data's / Michael N. Ferry's Deposition (excerpts) (moved to
 20 file under seal)

21 EXHIBIT F: Declaration of Lisa C. Snow

22 EXHIBIT G: LeadPile Excel Spreadsheet containing lead data from ClickMedia
 23 (*i.e.*, "thesmartcreditsolution.securelinkcorp.com") and Buyer
 24 Companies, March 2011 through February 2012 (moved to file
 25 under seal)

26 EXHIBIT H: Pioneer Services Internet Affiliate – Lead Generator Report,
 27 November 2011

28 EXHIBIT I: Pioneer Services Internet Affiliate – Lead Generator Report,
 December 2011 (moved to file under seal)

EXHIBIT J: Pioneer Services Internet Affiliate – Lead Generator Report, January 2012 (moved to file under seal)

EXHIBIT K: LeadPile Excel Spreadsheet, March 2011 through October 2012 (LEAD000020 – LEAD000286) (moved to file under seal)

EXHIBIT L: Plaintiff's Response to Pioneer Services' First Document Request (excerpts)

EXHIBIT M: Pioneer Services' Letter to Plaintiff, Dec. 16, 2013

EXHIBIT N: Deposition Exhibit 18: Text Message, Dec. 6, 2011

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 24, 2014.

/s/ Robert V. Spake, Jr.
Robert V. Spake, Jr.

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